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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/799,001	03/12/2004	Bernd Schmandt	LLP113US

29393  
ESCHWEILER & ASSOCIATES, INC.  
NATIONAL CITY BANK TRADERS  
629 EUCLID AVE., SUITE 1210  
CLEVELAND, OH 44114



**CONFIRMATION NO. 7567**  
**FORMALITIES LETTER**



\*OC000000012810282\*

Date Mailed: 05/28/2004

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

**FILED UNDER 37 CFR 1.53(b)**

*Filing Date Granted*

**Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
 07/27/2004 DTESEM1 00000064 10799001  
 01 FC:1051 130.00 OP  
 Commissioner for Patents  
 P.O. Box 1450  
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*A copy of this notice **MUST** be returned with the reply.*

B. To

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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

Docket No. LLP113US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Applicant: Bernd Schmandt et al.

Serial No: 10/799,001

Filed: March 12, 2004

*RECEIVED  
JUL 26 2004  
PATENT & TRADEMARK OFFICE*  
FREQUENCY CHANNEL SELECTION IN A DATA TRANSMISSION  
METHOD WHICH USES A FREQUENCY HOPPING METHOD

RESPONSE

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This paper is responsive to the Notice To File Missing Parts mailed May 28, 2004, in the application noted above. A copy of such Notice is enclosed herewith. Also enclosed is an executed Combined Declaration and Power of Attorney and an Assignment along with an Assignment Recordation Cover Sheet. Applicants respectfully request recordation of the Assignment. A check in the amount of \$170.00 is enclosed to cover the costs associated for the filing of these papers.

The Commissioner is hereby authorized to charge any additional fees associated with this communication, or credit any overpayment, to Deposit Account No. 50-1733, LLP113US.

Respectfully submitted,  
ESCHWEILER & ASSOCIATES, LLC

  
\_\_\_\_\_  
Thomas G. Eschweiler  
Registration No. 36,981

National City Bank Building  
629 Euclid Avenue, Suite 1210  
Cleveland, Ohio 44114  
(216) 502-0600

CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: July 21, 2004

  
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Christine Gillroy